

**From:** [Fox, Peg](#)  
**To:** [Butler, David](#); [Bateman, Andrew](#)  
**Cc:** [Huber, Christopher](#); [Bowen, John](#); [Grube-Lybarker, Carri](#); [Hall, Roger](#); [Wessinger-Hill, JoAnne](#); [PSC\\_Contact](#)  
**Subject:** [External] RE: Docket No. 2021-297-E - Lockhart Power Company's Petition for an Order Approving Accounting Treatment Related to Settlement and True-UP Amounts Received from Duke Energy Carolinas, LLC  
**Date:** Thursday, December 2, 2021 12:00:23 PM

---

David,

We likewise are filing a response to ORS's review letter confidentially under seal. I have let ORS counsel know we are handling it that way, and we have provided a copy of the confidential letter to them. It should be on its way to the Commission shortly. Thanks,

Peg

**Margaret M. Fox**

*Counsel*

**BURR & FORMAN LLP**

1221 Main St., Suite 1800  
 Columbia, South Carolina 29201

main 803-799-9800

fax 803-933-1515

[pfox@burr.com](mailto:pfox@burr.com)

[Web](#)

---

The information contained in this email is intended for the individual or entity above. If you are not the intended recipient, please do not read, copy, use, forward or disclose this communication to others; also, please notify the sender by replying to this message, and then delete this message from your system. Thank you.

**From:** Butler, David <David.Butler@psc.sc.gov>

**Sent:** Wednesday, November 17, 2021 11:20 AM

**To:** Bateman, Andrew <abateman@ors.sc.gov>

**Cc:** Huber, Christopher <chuber@ors.sc.gov>; Fox, Peg <PFox@burr.com>; Bowen, John <JBowen@burr.com>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Hall, Roger <RHall@scconsumer.gov>; Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>; PSC\_Contact <Contact@psc.sc.gov>

**Subject:** Re: Docket No. 2021-297-E - Lockhart Power Company's Petition for an Order Approving Accounting Treatment Related to Settlement and True-UP Amounts Received from Duke Energy Carolinas, LLC

**[EXTERNAL EMAIL]**

---

Andrew,

That is fine with me if you and other counsel would prefer it.

Thanks

David Butler

Sent from my iPhone

On Nov 17, 2021, at 10:28 AM, Bateman, Andrew <[abateman@ors.sc.gov](mailto:abateman@ors.sc.gov)> wrote:

David,

ORS hopes to file its review of the Company's Petition shortly. However, I did want to make you aware that this ORS filing will likely contain certain information Lockhart has marked "confidential." Accordingly, we would propose to file the letter under seal.

I have mentioned this proposal to counsel for Lockhart, but I wanted to mention it to you, as well. Please let me know if you'd prefer it be handled in another manner.

Thank you,

Andrew

---

**From:** Bateman, Andrew

**Sent:** Friday, November 12, 2021 8:14 AM

**To:** Butler, David <[David.Butler@psc.sc.gov](mailto:David.Butler@psc.sc.gov)>; Huber, Christopher <[chuber@ors.sc.gov](mailto:chuber@ors.sc.gov)>

**Cc:** [pfox@burr.com](mailto:pfox@burr.com); [jbowen@burr.com](mailto:jbowen@burr.com); Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hall, Roger <[RHall@scconsumer.gov](mailto:RHall@scconsumer.gov)>; Wessinger-Hill, JoAnne <[JoAnne.Hill@psc.sc.gov](mailto:JoAnne.Hill@psc.sc.gov)>; PSC\_Contact <[Contact@psc.sc.gov](mailto:Contact@psc.sc.gov)>

**Subject:** RE: Docket No. 2021-297-E - Lockhart Power Company's Petition for an Order Approving Accounting Treatment Related to Settlement and True-UP Amounts Received from Duke Energy Carolinas, LLC

David,

ORS is completing its review of the Company's Petition and believes it can file its recommendation early next week.

Thank you,

Andrew

---

**From:** Butler, David <[David.Butler@psc.sc.gov](mailto:David.Butler@psc.sc.gov)>

**Sent:** Tuesday, November 2, 2021 7:36 PM

**To:** Huber, Christopher <[chuber@ors.sc.gov](mailto:chuber@ors.sc.gov)>

**Cc:** [pfox@burr.com](mailto:pfox@burr.com); [jbowen@burr.com](mailto:jbowen@burr.com); Bateman, Andrew <[abateman@ors.sc.gov](mailto:abateman@ors.sc.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hall, Roger <[RHall@scconsumer.gov](mailto:RHall@scconsumer.gov)>; Wessinger-Hill, JoAnne <[JoAnne.Hill@psc.sc.gov](mailto:JoAnne.Hill@psc.sc.gov)>; PSC\_Contact <[Contact@psc.sc.gov](mailto:Contact@psc.sc.gov)>

**Subject:** Re: Docket No. 2021-297-E - Lockhart Power Company's Petition for an Order Approving Accounting Treatment Related to Settlement and True-UP Amounts Received from Duke Energy Carolinas, LLC

That is fine.

David Butler

Sent from my iPhone

On Nov 2, 2021, at 5:17 PM, Huber, Christopher <[chuber@ors.sc.gov](mailto:chuber@ors.sc.gov)> wrote:

Mr. Butler:

The ORS personnel working on the Lockhart petition in this proceeding have been tied up on a number of other pending matters as well as the Lockhart petition. I am unable to provide a further update today, as indicated last week. ORS respectfully requests it be allowed until November 12<sup>th</sup> to provide a further status update.

Thank you.

Christopher M. Huber  
General Counsel  
South Carolina Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201  
[chuber@ors.sc.gov](mailto:chuber@ors.sc.gov)  
(803) 737-0800 (Main)  
(803) 737-5252 (Direct)

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, transmission, dissemination or other use of, or taking any action in reliance upon this information, by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers. Thank you.

---

**From:** Butler, David <[David.Butler@psc.sc.gov](mailto:David.Butler@psc.sc.gov)>  
**Sent:** Wednesday, October 27, 2021 7:58 PM  
**To:** Huber, Christopher <[chuber@ors.sc.gov](mailto:chuber@ors.sc.gov)>  
**Cc:** [pfox@burr.com](mailto:pfox@burr.com); [jbowen@burr.com](mailto:jbowen@burr.com); Bateman, Andrew <[abateman@ors.sc.gov](mailto:abateman@ors.sc.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hall, Roger <[RHall@scconsumer.gov](mailto:RHall@scconsumer.gov)>; Wessinger-Hill, JoAnne <[JoAnne.Hill@psc.sc.gov](mailto:JoAnne.Hill@psc.sc.gov)>; PSC\_Contact <[Contact@psc.sc.gov](mailto:Contact@psc.sc.gov)>  
**Subject:** Re: Docket No. 2021-297-E - Lockhart Power Company's Petition for an Order Approving Accounting Treatment Related to Settlement and True-UP Amounts Received from Duke Energy Carolinas, LLC

Thanks, Chris.  
David Butler

Sent from my iPhone

On Oct 27, 2021, at 5:15 PM, Huber, Christopher <[chuber@ors.sc.gov](mailto:chuber@ors.sc.gov)> wrote:

Good afternoon Mr. Butler:

ORS received responses on Tuesday to a second set of requests for information issued to the Company. ORS is in the process of reviewing the information the Company provided and making a determination of whether

further discovery is needed. We will provide a further update by Tuesday, November 2d.

Thank you for your consideration.

Christopher M. Huber  
General Counsel  
South Carolina Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201  
[chuber@ors.sc.gov](mailto:chuber@ors.sc.gov)  
(803) 737-0800 (Main)  
(803) 737-5252 (Direct)

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, transmission, dissemination or other use of, or taking any action in reliance upon this information, by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers. Thank you.

---

**From:** Butler, David <[David.Butler@psc.sc.gov](mailto:David.Butler@psc.sc.gov)>  
**Sent:** Tuesday, October 26, 2021 3:24 PM  
**To:** [pfox@burr.com](mailto:pfox@burr.com); [jbowen@burr.com](mailto:jbowen@burr.com); Bateman, Andrew <[abateman@ors.sc.gov](mailto:abateman@ors.sc.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hall, Roger <[RHall@scconsumer.gov](mailto:RHall@scconsumer.gov)>; Huber, Christopher <[chuber@ors.sc.gov](mailto:chuber@ors.sc.gov)>  
**Cc:** Wessinger-Hill, JoAnne <[JoAnne.Hill@psc.sc.gov](mailto:JoAnne.Hill@psc.sc.gov)>; PSC\_Contact <[Contact@psc.sc.gov](mailto:Contact@psc.sc.gov)>  
**Subject:** Docket No. 2021-297-E - Lockhart Power Company's Petition for an Order Approving Accounting Treatment Related to Settlement and True-UP Amounts Received from Duke Energy Carolinas, LLC

To Andrew and Chris:  
Gentlemen, ORS furnished a letter on September 14, 2021 regarding investigation and discovery in the above-noted matter. At that time, ORS requested that the Commission delay any ruling until these were completed. Can you please provide us with a status report on this matter?  
Thanks in advance for your help and consideration.  
Regards,  
David Butler  
Chief Hearing Officer